IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

WEDNESDAY, THE 27TH JUNE 2007 / 6TH ASHADHA 1929

RP.No. 579 of 2007(Y)

AGAINST THE JUDGEMENT/ORDER IN WPC.16585/2007 Dated 31/05/2007

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REVIEW PETITIONER:

BANNARI AMMEN STEELS (P) LTD.,
S.NO.333, NALLEPULLY, NATTUKAL, CHITTOOR,
PALAKKAD, REPRESENTED BY ITS MANAGING DIRECTOR,
R.ELANGOVAN.

BY ADV. SRI.K.I.MAYANKUTTY MATHER
SMT.S.AMINA

RESPONDENTS:

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1. ASSISTANT COMMISSIONER(ASSESSMENT),
SPECIAL CIRCLE, PALAKKAD.

2. DEPUTY COMMISSIONER(APPEALS),
ERNAKULAM.

3. INPECTING ASSISTANT COMMISSIONER,
CHITTUR, PALAKKAD.

BY GOVERNMENT PLEADER SRI.MOHAMMED RAFIQ

THIS REVIEW PETITION HAVING COME UP FOR ADMISSION ON 27/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

C.N.RAMACHANDRAN NAIR,J.

R.P. NO. 579 OF 2007
IN W.P.C. NO.16585 OF 2007

Dated this the 27th day of June, 2007

O R D E R

This Review Petition is filed by petitioner stating that KGST and CST appeals for 2004-05 were already disposed of when the Writ Petition itself was filed. Therefore the direction in regard to payment of tax in the judgment requires modification because payment was ordered by reckoning the tax payable for 2004-05 also. In the circumstances, R.P. is allowed modifying the judgment by limiting the stay only against recovery of sales tax due for 2002-03 and 2003-04 with direction to petitioner to pay one third of the outstanding demand for those two years within two weeks from today. In other words, in the place of Rs. 6 lakhs ordered to be paid in the judgment, petitioner needs to pay only one third of the balance demand due for the above two years.

(C.N.RAMACHANDRAN NAIR)
Judge